



**The Atchison, Topeka and Santa Fe Railway Company**



1700 East Golf Road  
Schaumburg, Illinois 60173-5860

Direct Dial: (708) 995-6819  
Facsimile: (708) 995-6846

PLEASE STAMP AND RETURN TO SANTA FE

0100197001

RECORDATION NO. 18702-B FILED 1425

April 25, 1994 APR 25 1994 -12 35 PM

INTERSTATE COMMERCE COMMISSION

Mr. Sidney L. Strickland, Jr.  
Secretary  
Interstate Commerce Commission  
Washington, DC 20423

Re: The Atchison, Topeka and Santa Fe Railway Company  
Partial Termination of Interim User Agreement Pertaining to  
Interim User Agreement Dated February 1, 1994,  
Filed with the Interstate Commerce Commission  
on February 16, 1994 at 2:40 p.m., Recordation No. 18702

Dear Mr. Strickland:

Enclosed herewith please find an original and two (2) counterparts of the document described below to be recorded pursuant to Section 11303 of Title 49 of the U.S. Code.

This document is a Partial Termination of Interim User Agreement, a secondary document, dated as of April 24, 1994. The primary document to which this document is connected is recorded under Recordation No. 18702.

The name and addresses of the parties to this document are:

Lessor:

General Electric Company  
2901 East Lake Road  
Erie, Pennsylvania 16531

Lessee:

The Atchison, Topeka and Santa Fe Railway Company  
1700 East Golf Road  
Schaumburg, Illinois 60173-5860

CNS\EQUIPTR\SERIESAA.COR  
A Santa Fe Pacific Company

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APR 25 12 26 PM '94

RECEIVED  
OFFICE OF THE  
SECRETARY

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*Clark*  
*Worce*

Mr. Sidney L. Strickland, Jr.  
April 25, 1994  
Page 2

The equipment covered by the Partial Termination of Interim User Agreement consists of six (6) General Electric Diesel Locomotives, bearing Road Nos. 630, 632, 634, 636, 638, and 640.

For the convenience of the parties, I have enclosed two (2) additional counterparts of the Partial Termination of Interim User Agreement, which I would like to have returned to me bearing the recordation information.

Enclosed please find Check No. 3973, dated April 22, 1994, for the amount of \$18.00 for payment for the Commission's prescribed recordation fee.

A short summary of the enclosed document to appear in the Commission's Index is:

Secondary Document

Partial Termination of Interim User Agreement dated April 24, 1994, pertaining to Interim User Agreement dated February 1, 1994, filed with the Interstate Commerce Commission on February 16, 1994, at 2:40 p.m., Recordation No. 18702, terminating the Interim User Agreement as to six (6) General Electric Diesel Locomotives bearing Road Nos. 630, 632, 634, 636, 638, and 640.

If you have any questions or comments concerning this request, please contact me.

Very truly yours,



Craig N. Smetko  
General Attorney

CNS:cns  
Enclosures

cc: Michael J. Baughman, Esq.

**Interstate Commerce Commission**  
Washington, D.C. 20423

4/25/94

OFFICE OF THE SECRETARY

Graig N. Smetko  
General Attorney  
The Atchison, Topeka & Santa Fe RR Co  
1700 East Golf Road  
Schaumburg, Illinois 60173-5860

Sir:

The enclosed document(s) was recorded pursuant to the provisions  
of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303,  
on 4/25/94 at 12:35pm, and assigned  
recording number(s). 18702-B

Sincerely yours,

Secretary  
SIDNEY L. STRICKLAND, JR.

Enclosure(s)

RECORDATION NO. 18702-3 FILED 1425  
APR 25 1994 -12 35 PM  
INTERSTATE COMMERCE COMMISSION

## PARTIAL TERMINATION OF INTERIM USER AGREEMENT

THIS PARTIAL TERMINATION OF INTERIM USER AGREEMENT, made the 24th day of April, 1994 by and between General Electric Company, a New York corporation acting through its Transportation Systems Business Operation ("GE"), and The Atchison, Topeka and Santa Fe Railway Company, a Delaware corporation ("Railroad").

WHEREAS, GE and Railroad are parties to an Interim User Agreement dated as of February 1, 1994 (the "Lease"), which Lease was duly filed for recordation with the Interstate Commerce Commission (the "ICC") pursuant to 49 U.S.C. Section 11303, on February 16, 1994, at 2:40 p.m. and given Recordation Number 18702; and

WHEREAS, on April 13, 1994, GE and Railroad terminated and canceled the Lease, but solely with respect to 40 of the 50 locomotives covered thereby; and

WHEREAS, GE and Railroad desire to further terminate and cancel the Lease, but solely with respect to an additional six of the 50 locomotives originally covered thereby, and to record such partial termination and cancellation with the ICC;

NOW THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt of which is acknowledged, Railroad and GE, intending to be legally bound, agree as follows:

1. Railroad and GE hereby terminate and cancel the Lease, effective April 25, 1994, but solely with respect to the six additional locomotives bearing road numbers 630, 632, 634, 636, 638 and 640 (the "Terminated Equipment").

2. The parties agree to record this Partial Termination of Interim User Agreement with the ICC so as to release GE's lien against the Terminated Equipment, with the understanding that the Lease shall continue in full force and

effect with respect to the four locomotives remaining covered thereby and bearing road numbers 642, 644, 646 and 648.

3. This Partial Termination of Interim User Agreement may be executed in one or more counterparts, each of which counterparts when so executed shall be deemed to be an original, but all of which counterparts, taken together, shall constitute but one and the same instrument.

IN WITNESS WHEREOF, Railroad and GE have each caused this Termination of Lease to be duly executed by their authorized officers as of the day and year first above written.

ATTEST:


\_\_\_\_\_

THE ATCHISON, TOPEKA AND  
SANTA FE RAILWAY COMPANY

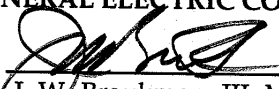
By: \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
M. J. Baughman, Attesting Secretary

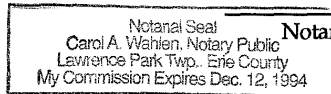
GENERAL ELECTRIC COMPANY

By:   
\_\_\_\_\_  
J. W. Braukman, III, Manager -  
Transportation Systems  
Finance Operation

Commonwealth of Pennsylvania }  
 }  
County of Erie }

On this 23rd day of April, 1994, before me personally appeared J. W. Braukman, III, to me personally known, who, being duly sworn, did say that he is Manager - Transportation Systems Finance Operation of General Electric Company, that the foregoing instrument was signed on behalf of such corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of such corporation.

My commission expires:



*Carol A. Wahlen*  
\_\_\_\_\_  
Notary Public

State of \_\_\_\_\_ }  
 }  
County of \_\_\_\_\_ }

On this \_\_\_\_ day of April, 1994, before me personally appeared \_\_\_\_\_, to me personally known, who, being duly sworn, did say that he or she is \_\_\_\_\_ of The Atchison, Topeka and Santa Fe Railway Company, that the foregoing instrument was signed on behalf of such corporation by authority of its Board of Directors, and he or she acknowledged that the execution of the foregoing instrument was the free act and deed of such corporation.

My commission expires:

\_\_\_\_\_  
Notary Public